

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

CHRISTOPHER M. HAYTON,)
)
)
Plaintiff,)
)
)
v.) No. 09-00208-CV-W-FJG
)
ENTERPRISE PROPERTIES, LLC,)
)
)
Defendant.)

ORDER

Plaintiff filed his Amended Complaint on August 3, 2009 (Doc. No. 20) after obtaining the Court's leave. This action was removed from the Circuit Court of Jackson County, Missouri at Kansas City based on the diversity of the parties. Plaintiff's Amended Complaint now includes two nondiverse defendants thus destroying complete diversity as well as the basis for this Court's subject matter jurisdiction. Pursuant to 28 U.S.C. § 1447(e), the appropriate course of action following the joinder of nondiverse defendants in a removed action is to remand the action to state court.

Accordingly, this case is hereby **REMANDED** to the Circuit Court of Jackson County, Missouri at Kansas City. The Clerk of the Court is directed to mail a certified copy of this Order to the Clerk of the Circuit Court of Jackson County, Missouri at Kansas City as required by 28 U.S.C. § 1447(c).

IT IS SO ORDERED.

Date: 08/14/09
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge